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13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 Janet Garcia, Gladys Zepeda, Miriam Zamora,  
16 Ali El-Bey, Peter Diocson Jr., Marquis Ashley,  
17 James Haugabrook, individuals, KTOWN FOR  
18 ALL, an unincorporated association,  
19 ASSOCIATION FOR RESPONSIBLE AND  
20 EQUITABLE PUBLIC SPENDING an  
21 unincorporated association

22 *Plaintiffs,*

23 vs.

24 CITY OF LOS ANGELES, a municipal entity;  
25 DOES 1-50,

26 *Defendant(s).*

Case No.: 2:19-cv-6182-DSF-PLA  
[Assigned to Judge Dale S. Fischer]

**DEFENDANT'S OBJECTION AND  
REQUEST TO STRIKE UNTIMELY  
PLEADINGS (DKT. NOS. 97-98) FILED IN  
IN SUPPORT OF ORDER TO SHOW  
CAUSE RE: CIVIL CONTEMPT  
AND SANCTIONS (L.R. 5-4;7-10; 7-13)**

Date: September 21, 2020

Time: 1:30 p.m.

Ctrm: 7D

**Judge: Hon. Dale S. Fischer**

1 Plaintiffs filed their reply papers (Dkt. Nos. 97, 97-1 and 98) on September 8,  
 2 2020, four days after they were due. Further to L.R. 7-10, reply papers may be filed “not  
 3 later than fourteen (14) days before the date designated for the hearing of the motion.”  
 4 Plaintiffs’ motion is set for hearing on September 21, 2020. (Dkt. No. 88). 14 days  
 5 before September 21 is September 7, which this year was Labor Day. Given that the  
 6 reply papers were otherwise due on a legal holiday, F.R.Civ.P. 6(a) provides they were  
 7 due Friday, September 4.<sup>1</sup> L.R. 7-13 provides that “[a] party filing any document in  
 8 support of, or in opposition to, any motion noticed for hearing as above provided after the  
 9 time for filing the same shall have expired, also shall be subject to the sanctions of L.R.  
 10 83-7 and the F.R.Civ.P.”

11 Plaintiffs filed three untimely reply pleadings in support of their motion. Dkt. Nos.  
 12 97, 97-1 and 98. Plaintiffs neither offered justification for the untimely filing, nor  
 13 requested leave to file a late pleading. Thus, the conditions for extending the time to file  
 14 the papers for good cause under F.R.Civ.P 6(b) are not satisfied here. Pursuant to these  
 15 rules, the Court has the inherent authority to issue appropriate sanctions for failing to  
 16 comply with the Local Rules and F.R.Civ.P., including the striking of untimely or  
 17 unauthorized pleadings. For the foregoing reasons, Defendant respectfully requests that  
 18 the Court strike Plaintiffs’ untimely pleadings filed on September 8, 2020, Dkt. Nos. 97,  
 19 97-1 and 98.

20  
 21 Dated: September 11, 2020 MICHAEL N. FEUER, City Attorney

22 By: /s/ Gabriel S. Dermer  
 23 Assistant City Attorney  
 24 Attorneys for Defendant City of Los Angeles

25  
 26 <sup>1</sup> This Court’s standing order (Dkt. 12) provides that “Opposition papers due on a  
 27 Monday holiday may be filed the following Tuesday. In such cases, reply papers may be  
 28 filed on the next Tuesday.” The Opposition papers (*see* Dkt. 93) were not due on a  
 Monday holiday. Accordingly, Plaintiff’s reply was due Friday, September 4. L.R. 7-10.